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EXAMINER
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ART UNIT	PAPER NUMBER
2167	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/627,492	SKOW, GREGG E.
	Examiner	Art Unit	
	Kimberly Lovel	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 July 2006</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-29 and 37-49</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-29 and 37-49</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>7/6/2006</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to the Amendment filed 6 July 2006.

2.   Claims 1-29 and 37-49 are pending in this application. Claims 1, 15, 37 and 49 are independent claims. In the Amendment filed 6 July 2006, claims 1-14 have been amended. This action is made Non-Final.

3.   The rejections of claims 1-29 and 37-48 as being unpatentable over US Patent No 6,879,976 to Brookler et al in view of US Patent No 6,804,664 to Hartman et al have been maintained and the rejection of claim 49 as being anticipated by US Patent No 6,804,664 to Hartman et al withdrawn as necessitated by applicant's arguments.

Drawings

4.   The objections to the drawings have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claims 1-14, the claims are for a program product comprising a computer-readable signal bearing media bearing a database.

According to MPEP section 2106:

> There is always some form of physical transformation within a computer because a computer acts on signals and transforms them during its operation and changes the state of its components during the execution of a process. Even though such a physical transformation occurs within a computer, such activity is not determinative of whether the process is statutory because such transformation alone does not distinguish a statutory computer process from a nonstatutory computer process. What is determinative is not how the computer performs the process, but what the computer does to achieve a practical application. See *Arrhythmia*, 958 F.2d at 1057, 22 USPQ2d at 1036.

Therefore, a signal is considered to represent non-statutory subject matter.

To allow for compact prosecution, the examiner will apply prior art to these

claims as best understood, with the assumption that applicant will amend to overcome

the stated 101 rejections.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1- 29 and 37-48 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent No 6,879,976 to Brookler et al (hereafter Brookler et al) in

view of US Patent No 6,804,664 to Hartman et al.

Referring to claim 1, Brookler et al disclose a database. In particular, Brookler

et al disclose a program product, comprising:

a) a database that is compatible with multiple end-user systems (see column 4, lines 54-61), the database comprising:

a data section [tables] that includes a plurality of data records (see column 4, lines 54-57; Fig 2, item 6; and Fig 3, item 300 – the Products Table, which is one of the tables in the *data section*, has 5 records, which is considered to represent a *plurality of records*); and

a structure section [schema] (see column 4, lines 54-57 – the schema is considered to represent the structure section; according to the 5th Edition of Microsoft's Computer Dictionary, a schema defines aspects of the database, such as attributes, domains and parameters of the attributes)

b) computer-readable signal bearing media bearing said database (see column 4, lines 49-53).

However, Brookler et al fail to explicitly teach the further limitation of a feature mask. Hartman et al teach a similar database (see abstract), including at least a feature mask [bit mask], the feature mask including data that indicates whether a particular one of the data records is compatible with one or more of the end-user systems (see column 8, lines 54-60 and column 9, line 44 – column 10, line 28 – the bit mask of the query profile is compared to the bit mask of the record and if they match, then the two are considered to be compatible; the query profile can represent the user profile).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Hartman et al's concept of a feature mask as a feature Brookler et al's database . One would have been motivated to do so to increase the

efficiency of retrieving query results from an indexed data set (Brookler et al: see
column 1, lines 48-57).

Referring to claim 2, the combination of Brookler et al and Hartman et al
(hereafter Brookler/Hartman) discloses the program product of claim 1, wherein:

each data record has one or more features [attributes] associated therewith
(Hartman et al: see column 5, lines 3-14); and

the feature mask data indicates whether each feature of a data record is
compatible with one or more of the end-user systems (Hartman et al: see column 9, line
44 – column 10, line 28 – the bit mask is considered to represent the *feature mask*; the
bit mask of the query profile is compared to the bit mask of the record and if they match,
then the two are considered to be compatible).

Referring to claim 3, Brookler/Hartman discloses the program product of claim
2, wherein:

each data record includes at least a feature field containing one or more feature
bits that represent each of the features associated therewith (Hartman et al: see column
5, lines 3-14); and

the feature mask includes one or more feature mask records, each feature mask
record including at least one or more compatibility fields each containing one or more
bits that indicate whether a particular one of the data records is compatible with one or
more of the end-user systems (Hartman et al: see column 9, line 44 – column 10, line
28 – the bit mask is considered to represent the *feature mask*; the bit mask of the query

profile is compared to the bit mask of the record and if they match, then the two are

considered to be compatible).

Referring to claim 4, Brookler/Hartman discloses the program product of claim

1, wherein:

the data section comprises a plurality of data tables, each data table including a

plurality of the data records (Brookler et al: see column 4, lines 54-57; Fig 2, item 6; and

Fig 3 – *the plurality of data tables* are represented by the Products Table, the

Manufacturers Table and the Categories Table; the Products Table, which is one of the

tables in the *data section*, has 5 records, which is considered to represent a *plurality of*

records); and

the structure section comprises a plurality of features masks, each feature mask

at least associated with one of the data tables and including data that indicates whether

a particular one of the data records in an associated data table is compatible with one or

more of the end-user systems (Hartman et al: see column 9, line 44 – column 10, line

28 – the bit mask is considered to represent the *feature mask*; the bit mask of the query

profile is compared to the bit mask of the record and if they match, then the two are

considered to be compatible).

Referring to claim 5, Brookler/Hartman discloses the program product of claim

4, wherein:

each data record in each data table includes at least a feature field containing

one or more feature bits that represent each of the features associated therewith

(Hartman et al: see column 5, lines 3-14);

and each feature mask includes a plurality of feature mask records, each feature

mask record including at least one or more feature mask values that indicate whether a

particular one of the data records in the associated data table is compatible with one or

more of the end-user systems (Hartman et al: see column 9, line 44 – column 10, line

28 – the bit mask is considered to represent the *feature mask*; the bit mask of the query

profile is compared to the bit mask of the record and if they match, then the two are

considered to be compatible).

Referring to claim 6, Brookler/Hartman discloses the program product of claim

1, wherein the structure section further comprises a system identification table that

includes data that uniquely identifies each of the end-user systems (Hartman et al: see

column 6, lines 25-38 and column 7, lines 16-26 – the user profile and client profile

databases are considered to represent the information that *uniquely identifies each of*

the end-user systems).

Referring to claim 7, Brookler/Hartman discloses the program product of claim

6, wherein the system identification table comprises a plurality of system identification

records, each system identification record associated with each of the end-user systems

(Brookler et al: see column 7, lines 16-26 – client profiles include information such as

software versions, processor type, processor speed, memory size, modem type, etc.;

the client profiles are related to the user profiles).

Referring to claim 8, Brookler/Hartman discloses the program product of claim

1, wherein:

the data section comprises a plurality of data tables, each data table including a

plurality of the data records (Brookler et al: see column 4, lines 54-57; Fig 2, item 6; and

Fig 3 – *the plurality of data tables* are represented by the Products Table, the

Manufacturers Table and the Categories Table; the Products Table, which is one of the

tables in the *data section*, has 5 records, which is considered to represent a *plurality of*

records); and

the structure section further comprises a table pointer table that includes data

that uniquely describes at least each of the data tables (Hartman et al: see column 7,

lines 37-43).

Referring to claim 9, Brookler/Hartman discloses the program product of claim

8, wherein: the table pointer table comprises a plurality of table pointer records; and at

least one table pointer record is associated with each of the data tables (Hartman et al:

see column 7, lines 37-48).

Referring to claim 10, Brookler/Hartman discloses the program product of claim

9, wherein each table pointer record includes data representative of at least: a location

of the associated data table; a number of the data records in the associated table

(Brookler et al: see column 6, lines 10-24); and a size of each data record in the

associated data table.

Referring to claim 11, Brookler/Hartman discloses the program product of claim

1, wherein:

each data record includes one or more fields (Brookler et al: see column 5, lines 53-54 and Fig 3, item 300 – the fields are product ID, description, manufacturer and category); and

the structure section further comprises a field definition table that includes at least data representative of each of the data record fields (Brookler et al: see column 5, lines 56-59 – the lookup table is considered to represent *the field definition table*).

Referring to claim 12, Brookler/Hartman discloses the program product of claim 11, wherein the structure section further comprises one or more return type tables, each return type table including data representative of a format of each of the data record fields (Hartman et al: see column 4, lines 35-39).

Referring to claim 13, Brookler/Hartman discloses the program product of claim 1, further comprising: a header section that includes data representative of indicia that is used to identify the database (Hartman et al: see column 4, lines 47-54).

Referring to claim 14, Brookler/Hartman discloses the program product of claim 13, wherein the header section further includes data representative of a location of the structure section (Hartman et al: see column 4, lines 35-54).

Referring to claim 15, Brookler et al discloses a method of generating a database. In particular, Brookler et al disclose a method of generating a database that is compatible with multiple end-user systems (see column 4, lines 54-61), the method comprising the steps of:

generating a data section [tables] (see column 4, lines 54-57; Fig 2, item 6; and Fig 3, item 300); and

storing a plurality of data records in the data section (see column 4, lines 54-57;

Fig 2, item 6; and Fig 3, item 300 – the Products Table, which is one of the tables in the

data section, has 5 records, which is considered to represent a *plurality of records).*

However, Brookler et al fail to explicitly teach the further limitation of a feature

mask. Hartman et al teach a similar method (see abstract), including generating a

feature mask that includes data that indicates whether a particular one of the stored

data records is compatible with one or more of the end-user systems (see column 8,

lines 54-60 and column 9, line 44 – column 10, line 28 – the bit mask of the query

profile is compared to the bit mask of the record and if they match, then the two are

considered to be compatible; the query profile can represent the user profile).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize Hartman et al's concept of a feature mask as a feature

Brookler et al's database . One would have been motivated to do so to increase the

efficiency of retrieving query results from an indexed data set (Brookler et al: see

column 1, lines 48-57).

Referring to claim 16, Brookler/Hartman discloses the method of claim 15,

further comprising:

associating one or more features with each data record (Hartman et al: see

column 5, lines 3-14), wherein, the feature mask data indicates whether each feature of

a data record is compatible with one or more of the end-user systems (Hartman et al:

see column 9, line 44 – column 10, line 28 – the bit mask is considered to represent the

feature mask; the bit mask of the query profile is compared to the bit mask of the record

and if they match, then the two are considered to be compatible).

Referring to claim 17, Brookler/Hartman discloses the method of claim 16

further comprising:

including at least a feature field in each data record (Hartman et al: see column

5, lines 3-14);

supplying each feature field with one or more feature bits that represent each of

the features associated therewith (Hartman et al: see column 5, lines 3-14);

including one or more feature mask records in the feature mask (Hartman et al:

see column 9, line 44 – column 10, line 28 – the bit mask is considered to represent the

feature mask; the bit mask of the query profile is compared to the bit mask of the record

and if they match, then the two are considered to be compatible); and

supplying each feature mask record with one or more feature mask values that

indicate whether a particular one of the data records is compatible with one or more of

the end-user systems (Hartman et al: see column 9, line 44 – column 10, line 28 – the

bit mask is considered to represent the *feature mask*; the bit mask of the query profile is

compared to the bit mask of the record and if they match, then the two are considered

to be compatible).

Referring to claim 18, Brookler/Hartman discloses the method of claim 15,

further comprising:

dividing the data section into a plurality of data tables that each include a plurality

of the data records (Brookler et al: see column 4, lines 54-57; Fig 2, item 6; and Fig 3 –

the plurality of data tables are represented by the Products Table, the Manufacturers

Table and the Categories Table; the Products Table, which is one of the tables in the

data section, has 5 records, which is considered to represent a *plurality of records*); and

generating a plurality of features masks that are each at least associated with

one of the data tables and that each include data indicative of whether a particular one

of the data records in an associated data table is compatible with one or more of the

end-user systems (Hartman et al: see column 9, line 44 – column 10, line 28 – the bit

mask is considered to represent the *feature mask*; the bit mask of the query profile is

compared to the bit mask of the record and if they match, then the two are considered

to be compatible).

Referring to claim 19, Brookler/Hartman discloses the method of claim 18,

further comprising:

including at least a feature field in each data record in each data table (Hartman

et al: see column 5, lines 3-14);

supplying each feature field with one or more feature bits that represent each of

the features associated therewith (Hartman et al: see column 5, lines 3-14); and

including one or more feature mask records in the feature mask; and supplying

each feature mask record with one or more feature mask values that indicate whether a

particular one of the data records in the associated data table is compatible with one or

more of the end-user systems (Hartman et al: see column 9, line 44 – column 10, line

28 – the bit mask is considered to represent the *feature mask*; the bit mask of the query

profile is compared to the bit mask of the record and if they match, then the two are

considered to be compatible).

Referring to claim 20, Brookler/Hartman discloses the method of claim 15,

further comprising: generating a system identification table that includes data that

uniquely identifies each of the end-user systems (Hartman et al: see column 6, lines 25-

38 and column 7, lines 16-26 – the user profile and client profile databases are

considered to represent the information that *uniquely identifies each of the end-user*

systems).

Referring to claim 21, Brookler/Hartman discloses the method of claim 20,

further comprising: including a plurality of system identification records in the system

identification table, each system identification record associated with each of the end-

user systems (Brookler et al: see column 7, lines 16-26 – client profiles include

information such as software versions, processor type, processor speed, memory size,

modem type, etc.; the client profiles are related to the user profiles).

Referring to claim 22, Brookler/Hartman discloses the method of claim 15,

further comprising:

dividing the data section into a plurality of data tables that each include a plurality

of the data records (Brookler et al: see column 4, lines 54-57; Fig 2, item 6; and Fig 3 –

the plurality of data tables are represented by the Products Table, the Manufacturers

Table and the Categories Table; the Products Table, which is one of the tables in the

data section, has 5 records, which is considered to represent a *plurality of records*); and

generating a table pointer table that includes data that uniquely describes at least

each of the data tables (Hartman et al: see column 7, lines 37-48).

Referring to claim 23, Brookler/Hartman discloses the method of claim 22

further comprising: including a plurality of table pointer records in the table pointer table,

at least one table pointer record is associated with each of the data tables (Hartman et

al: see column 7, lines 37-48).

Referring to claim 24, Brookler/Hartman discloses the method of claim 23,

further comprising: supplying each table pointer record with data representative of at

least (i) a location of the associated data table, (ii) a number of the data records in the

associated table (Brookler et al: see column 6, lines 10-24) and (iii) a size of each data

record in the associated data table.

Referring to claim 25, Brookler/Hartman discloses the method of claim 15,

further comprising:

including one or more fields in each data record (Brookler et al: see column 5,

lines 53-54 and Fig 3, item 300 – the fields are product ID, description, manufacturer

and category); and

generating a field definition table that includes at least data representative of

each of the data record fields (Brookler et al: see column 5, lines 56-59 – the lookup

table is considered to represent *the field definition table*).

Referring to claim 26, Brookler/Hartman discloses the method of claim 25,

further comprising: generating one or more return type tables, each return type table

including data representative of a format of each of the data record fields (Hartman et

al: see column 4, lines 35-39).

Referring to claim 27, Brookler/Hartman discloses the method of claim 15,

further comprising:

generating a structure section and including the feature mask therein (Hartman et

al: see column 4, lines 35-39);

generating a header section (Hartman et al: see column 4, lines 35-39); and

supplying the header section with data representative of indicia that is used to

identify the database (Hartman et al: see column 4, lines 35-39).

Referring to claim 28, Brookler/Hartman discloses the method of claim 27,

wherein the header section further includes data representative of a location of the

structure section (Hartman et al: see column 4, lines 35-39).

Referring to claim 29, Brookler/Hartman discloses the method of claim 15,

further comprising:

including at least a feature field in each data record (Brookler et al: see column 5,

lines 53-54 and Fig 3, item 300 – the fields are product ID, description, manufacturer

and category);

supplying each feature field with data representative of one or more features

associated with each data record, wherein the feature field of the data record having the

requested data is compared with at least a portion of the feature mask to determine

whether the requested data is compatible with the end-user system (Hartman et al: see

column 9, line 44 – column 10, line 28 – the bit mask is considered to represent the

feature mask; the bit mask of the query profile is compared to the bit mask of the record and if they match, then the two are considered to be compatible).

Referring to claim 37, Brookler et al disclose a computer system. In particular, Brookler et al disclose a computer system (see column 4, lines 15-61), comprising:

a processor (see column 4, lines 32-44);

memory in operable communication with the processor (see column 4, lines 48-61); and

a database stored in the memory, the database compatible with multiple end-user systems (see column 4, lines 54-61) and including:

a data section [tables] that includes a plurality of data records (see column 4, lines 54-57; Fig 2, item 6; and Fig 3, item 300), and a structure section [schema] (see column 4, lines 54-57).

However, Brookler et al fail to explicitly teach the further limitation of a feature mask. Hartman et al teach a similar database (see abstract), including a feature mask, the feature mask including data that indicates whether a particular one of the data records is compatible with one or more of the end-user systems (see column 8, lines 54-60 and column 9, line 44 – column 10, line 28 – the bit mask of the query profile is compared to the bit mask of the record and if they match, then the two are considered to be compatible; the query profile can represent the user profile).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Hartman et al's concept of a feature mask as a feature Brookler et al's database . One would have been motivated to do so to increase the

efficiency of retrieving query results from an indexed data set (Brookler et al: see

column 1, lines 48-57).

Referring to claim 38, Brookler/Hartman discloses the system of claim 37,

wherein:

each data record has one or more features associated therewith (Hartman et al:

see column 5, lines 3-14); and

the feature mask data indicates whether each feature of a data record is

compatible with one or more of the end-user systems (Hartman et al: see column 9, line

44 – column 10, line 28 – the bit mask is considered to represent the *feature mask*; the

bit mask of the query profile is compared to the bit mask of the record and if they match,

then the two are considered to be compatible).

Referring to claim 39, Brookler/Hartman discloses the system of claim 37,

wherein:

each data record includes at least a feature field containing one or more feature

bits that represent each of the features associated therewith (Hartman et al: see column

5, lines 3-14); and

the feature mask includes one or more feature mask records, each feature mask

record including at least one or more compatibility fields each containing one or more

bits that indicate whether a particular one of the data records is compatible with one or

more of the end-user systems (Hartman et al: see column 9, line 44 – column 10, line

28 – the bit mask is considered to represent the *feature mask*; the bit mask of the query

profile is compared to the bit mask of the record and if they match, then the two are

considered to be compatible).

Referring to claim 40, Brookler/Hartman discloses the system of claim 37,

wherein:

the data section comprises a plurality of data tables, each data table including a

plurality of the data records (Brookler et al: see column 4, lines 54-57; Fig 2, item 6; and

Fig 3 – *the plurality of data tables* are represented by the Products Table, the

Manufacturers Table and the Categories Table; the Products Table, which is one of the

tables in the *data section*, has 5 records, which is considered to represent a *plurality of*

records); and

the structure section comprises a plurality of features masks, each feature mask

at least associated with one of the data tables and including data that indicates whether

a particular one of the data records in an associated data table is compatible with one or

more of the end-user systems (Hartman et al: see column 9, line 44 – column 10, line

28 – the bit mask is considered to represent the *feature mask*; the bit mask of the query

profile is compared to the bit mask of the record and if they match, then the two are

considered to be compatible).

Referring to claim 41, Brookler/Hartman discloses the system of claim 40,

wherein:

each data record in each data table includes at least a feature field containing

one or more feature bits that represent each of the features associated therewith

(Hartman et al: see column 5, lines 3-14); and

each feature mask includes a plurality of feature mask records, each feature

mask record including at least one or more compatibility fields each containing one or

more bits that indicate whether a particular one of the data records in the associated

data table is compatible with one or more of the end-user systems (Hartman et al: see

column 9, line 44 – column 10, line 28 – the bit mask is considered to represent the

feature mask; the bit mask of the query profile is compared to the bit mask of the record

and if they match, then the two are considered to be compatible).

Referring to claim 42, Brookler/Hartman discloses the system of claim 37,

wherein the structure section further comprises a system identification table that

includes data that uniquely identifies each of the end-user systems (Hartman et al: see

column 6, lines 25-38 and column 7, lines 16-26 – the user profile and client profile

databases are considered to represent the information that *uniquely identifies each of*

the end-user systems).

Referring to claim 43, Brookler/Hartman discloses the system of claim 42,

wherein the system identification table comprises a plurality of system identification

records, each system identification record associated with each of the end-user systems

(Brookler et al: see column 7, lines 16-26 – client profiles include information such as

software versions, processor type, processor speed, memory size, modem type, etc.;

the client profiles are related to the user profiles).

Referring to claim 44, Brookler/Hartman discloses the system of claim 37,

wherein:

the data section comprises a plurality of data tables, each data table including a

plurality of the data records (Brookler et al: see column 4, lines 54-57; Fig 2, item 6; and

Fig 3 – *the plurality of data tables* are represented by the Products Table, the

Manufacturers Table and the Categories Table; the Products Table, which is one of the

tables in the *data section*, has 5 records, which is considered to represent a *plurality of*

records); and

the structure section further comprises a table pointer table that includes data

that uniquely describes at least each of the data tables (Hartman et al: see column 7,

lines 37-43).

Referring to claim 45, Brookler/Hartman discloses the system of claim 44,

wherein: the table pointer table comprises a plurality of table pointer records; and at

least one table pointer record is associated with each of the data tables (Hartman et al:

see column 7, lines 37-43).

Referring to claim 46, Brookler/Hartman discloses the system of claim 45,

wherein each table pointer record includes data representative of at least: a location of

the associated data table; a number of the data records in the associated table

(Brookler et al: see column 6, lines 10-24); and a size of each data record in the

associated data table.

Referring to claim 47, Brookler/Hartman discloses the database of claim 37,

wherein:

each data record includes one or more fields (Brookler et al: see column 5, lines

53-54 and Fig 3, item 300 – the fields are product ID, description, manufacturer and

category); and

the structure section further comprises a field definition table that includes at

least data representative of each of the data record fields (Brookler et al: see column 5,

lines 56-59 – the lookup table is considered to represent *the field definition table*).

Referring to claim 48, Brookler/Hartman discloses the system of claim 47,

wherein the structure section further comprises one or more return type tables, each

return type table including data representative of a format of each of the data record

fields (Hartman et al: see column 4, lines 35-39).

8.   Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over US

Patent No 6,134,500 to Tang et al (hereafter Tang et al) in view of US Patent No

6,804,664 to Hartman et al.

Referring to claim 49, Tang et al disclose a flight management system (see

abstract), comprising:

Memory [mainframe] (see column 8, lines 23-46);

a navigation database [navigation database] stored in the memory, the

navigation database compatible with multiple flight management systems (see column

4, lines 33-63) and including:

a processor configured to generate an aircraft flight plan based at least in part on the navigational data stored in the navigation database (see column 7, lines 14-31).

However, Tang et al fail to explicitly disclose the further limitation, wherein the database includes a data section that includes a plurality of navigational data records, and a structure section that includes a feature mask, the feature mask including data that indicates whether a particular one of the navigational data records is compatible with one or more of the flight management systems. Hartman et al discloses a navigational database [geographic data database 143], including the further limitation wherein a data section that includes a plurality of navigational data records (see column 6, line 59 – column 7, line 3), and a structure section that includes a feature mask, the feature mask including data that indicates whether a particular one of the navigational data records is compatible with one or more of the flight management systems (see column 9, line 44 – column 10, line 28 – the bit mask is considered to represent the feature mask; the bit mask of the query profile is compared to the bit mask of the record and if they match, then the two are considered to be compatible).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the feature of feature masking in a navigation database as disclosed by Hartman et al with the navigation database of Tang et al. One would have been motivated to do so in order provide customized flight plans.

Response to Arguments

9.   On page 14 of the applicant's amendment, applicant argues that "In the Office

action it is alleged that Brookler et al discloses a structure section that includes a

feature mask". To clarify, the examiner in the Office action alleges that Brookler et al

disclose a structure section, however Brookler et al fails to disclose a feature mask.

10.   On page 15 of the applicant's amendment, applicant argues that "Just because a

database includes a schema, which just about every database does, does not mean

that it includes a structure section."

        In regards to Brookler et al, the examiner respectfully disagrees. In this instance,

the schema is considered to represent the structure section. To further clarify,

according to column 1, lines 28-29, "a schema defines the structure of a database."

11.   On page 15, the applicant continues to argue that Hartman et al "clearly does not

disclose, or even remotely suggest, providing a database with a structure section that

includes a feature mask having data that indicates whether a particular data record is

compatible with one or more end-user systems.

        The examiner respectfully disagrees. The query profile can represent the user

profile which is then matched against the records in the database to determine if the two

records match, which is considered to represent compatibility.

12.   In response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., the database access manager determines the layout and format of the data

records from the data in the structure tables, before providing access to the data in

order to decouple the database access manager from the data layout and format) are

not recited in the rejected claim(s). Although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re*

Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

13.   Applicant's arguments with respect to claim 49 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

14.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

*   US Patent No 7,046,778 to Martin et al discloses a feature mask in Fig 8 and

    column 13, line 54 – column 14, line 21

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Lovel whose telephone number is (571) 272-2750. The examiner can normally be reached on 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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15 September 2006
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18 September 2006